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| APPLICATION NO.       | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------|-------------|----------------------|---------------------|------------------|
| 10/533,677            | 04/29/2005  | Marco De Luca        | 23285               | 8657             |
| 535                   | 7590        | 10/01/2008           | EXAMINER            |                  |
| K.F. ROSS P.C.        |             |                      | PARK, JEONG S       |                  |
| 5683 RIVERDALE AVENUE |             |                      | ART UNIT            | PAPER NUMBER     |
| SUITE 203 BOX 900     |             |                      |                     | 2154             |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/533,677             | DE LUCA ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | JEONG S. PARK          | 2154                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 April 2005.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-22 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 29 April 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 4/29/2005.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-22 are objected to because of the following informalities:

In claim 1, line 5, the word “characterised” should be corrected as – characterized--. Similar correction should be made for claims 11-16 and 18; In claim 2, line 1, the phrase “a device” should be corrected as –the device-- for clear understanding of the claim. Similar correction should be made for claims 3-16; In claim 19, line 1, the phrase “a method” should be corrected as –the method-- for clear understanding of the claim. Similar correction should be made for claim 20; and In claim 22, line 1, the phrase “a computer program” should be corrected as –the computer program-- for clear understanding of the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 21 and 22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 21 is drawn toward a computer program which is merely software, *per se*. As such, software, *per se* does not establish a statutory category of invention. Correction is required.

Claim 22 is drawn toward a computer readable medium comprising computer program. The computer readable medium in the specification is not defined in one of the statutory categories and, as such, fails to establish a statutory category of invention.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11 and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel)(U.S. Pub. No. 2002/0143961 A1) in view of Alonso et al. (hereinafter Alonso)(U.S. Patent No. 6,434,700 B1).

Regarding claim 1, Siegel teaches as follows:

a device (PMT server 10 in figure 1 and 2) for storing personal profiles (PMT server is provided for facilitating transactions involving the user profiles stored in the database, see, e.g., page 2, paragraph [0024]) and for controlling the access (PMT protocol controls access to each piece of data within a user profile, see, e.g., page 2, paragraph [0021]), from a plurality of remote entities (user 56, service provider 54 in figure 2) within a telecommunication network (network 50 in figure 2, see, e.g., page 2, paragraph [0027]) supporting a plurality of services, to databases storing said personal profiles (database 14 in figure 2, see, e.g., page 2, paragraph [0027]), characterized in that said device comprises a first plurality of databases (multiple databases, see, e.g., page 3, paragraph [0028]) and interfaces (UI logic 28, PMT protocol 12 and PMT server

10 in figure 1) for managing and centrally controlling the access, from any of said remote entities, to said first plurality of databases and to a second plurality of databases (see, e.g., page 2, paragraph [0024], said interfaces comprising:

a plurality of adapters (PMT server 10 in figure 1 and 2) toward said first and second plurality of databases (multiple database, see, e.g., page 3, paragraph [0028]), each adapter being able to manage a corresponding typology of database (PMT server can be used for multiple databases, therefore it is inherent that the PMT server is capable to manage deferent typology of database);

a plurality of application interfaces (UI logic 28 in figure 1) toward said plurality of remote entities (web devices 32 and WAP devices 30 in figure 1) able to manage different mechanisms for accessing databases (UI logic facilitates interactions between the deferent type of users with the PMT server, see, e.g., page 2, paragraph [0026]);

an authentication unit (authentication mechanism 19 in figure 2), for identification of said remote entities (see, e.g., page 2, paragraph [0027]); and

an authorization unit for authorizing said remote entities to use said adapters, by means of the verification of essential requirements and the management of a corresponding authorization to use (getPermission operation, see, e.g., page 4, paragraph [0050]).

Siegel does not teach the account unit for tracking the accesses to databases.

Alonso teaches as follows:

a method and apparatus for allowing users to use computer networks with other authentication and authorization mechanism (see, e.g., col. 5, lines 46-57);

an Access Control Server (ACS) provides a central point of control for the management of multiple security services and network devices and provides Authorization, Authentication and Accounting (AAA server is well-known for one of ordinary skill in the art) functions for a managed network (see, e.g., col. 5, line 60 to col. 6, line 5); and

the user profile information includes authentication information and accounting information related to what the user has done or is doing can be stored in the relational database for billing and security auditing (see, e.g., col. 6, lines 22-29).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Siegel to include the accounting information by utilizing the well-known AAA functions as taught by Alonso in order to efficiently calculate the billing information based on the access information.

Regarding claim 2, Siegel in view of Alonso teach all the limitation of claim as presented above per claim 1.

Alonso further teaches as follows:

the ACS communicates with a relational database to simplify the storage of user profile information against which users are authenticated and the user profile information includes authentication information and accounting information related to what the user has done or is doing can be stored in the relational database for billing and security auditing (see, e.g., col. 6, lines 22-29).

Therefore, Alonso inherently teaches storing all user activity including access times and data exchanged during access.

Regarding claim 3, Siegel teaches as follows:

plurality of services comprises Voice over IP or multimedia or internet services (the service provider many be an Internet service provider (ISP) which customers access via the Internet (see, e.g., page 3, paragraph [0029]).

Regarding claim 4, Siegel teaches as follows:

adapters (PMT server 10 in figure 1 and 2) allow the access to said first and second plurality of databases (multiple database, see, e.g., page 3, paragraph [0028]) independently from the particular technology of the database (PMT server can be used for multiple databases, therefore it is inherent that the PMT server is capable to manage deferent typology of database).

Regarding claim 5, Siegel teaches as follows:

the access to said application interfaces (UI logic 28 in figure 1) depends on a plurality of authorizations contained in an XML descriptor (the UI logic facilitates interactions between the web devices (32 in figure 1) with the PMT server, see, e.g., page 2, paragraph [0026], wherein the web devices rely upon a web browser).

Therefore, the UI logic supporting web browser inherently includes an XML descriptor.

Regarding claim 6, Siegel teaches as follows:

interfaces allow the access to said first and second plurality of databases by means of trusted application interfaces, in case the access is requested by authorized applications, and by means of untrusted application interfaces, in case the access is requested by unknown applications (UI logic facilitates interactions between the deferent type of users with the PMT server, see, e.g., page 2, paragraph [0026]).

Regarding claims 7-10, Siegel teaches as follows:

interfaces allow the access to said first and second plurality of databases in a read mode (equivalent to read access), a write mode (equivalent to write access) or a search mode (equivalent to availability access)(type of access, see, e.g., page 3, paragraph [0033]).

Regarding claim 11, Siegel teaches as follows:

plurality of databases contains information characterizing a user in terms of user profile (the user profile includes user name, see, e.g., page 3, paragraph [0031] and figure 4).

Regarding claim 18, Siegel in view of Alonso teach all limitations of claim as presented above per claims 1 and 3.

Regarding claim 19, Siegel in view of Alonso teach all limitations of claim as presented above per claim 1.

Regarding claim 20, Siegel in view of Alonso teach all limitations of claim as presented above per claim 1.

Regarding claims 21 and 22, Siegel in view of Alonso teach all limitations of claim as presented above per claims 1 and 18-19.

6. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel)(U.S. Pub. No. 2002/0143961 A1) in view of Alonso et al. (hereinafter Alonso)(U.S. Patent No. 6,434,700 B1), and further in view of Cai et al. (hereinafter Cai)(U.S. Pub. No. 2001/0016880 A1).

Regarding claims 12-15, Siegel in view of Alonso teaches all limitations of claim except for the user profile comprising service profile and terminal profile.

Cai teaches as follows:

user profile comprises identity, personal data, preferences, subscribed services and used terminals (user profile in figure 3, see, e.g., page 3, paragraph [0050]);

databases contain information characterizing a service in terms of service profile (service profile in figure 3, see, e.g., page 3, paragraph [0052]);

service profile comprises information characterizing the configuration of services for different users (see, e.g., page 4, paragraph [0062] and figure 8); and

databases contain information characterizing the terminals used in said multimedia and/or telecommunication service network (device profile in figure 3, see, e.g., page 3, paragraph [0051]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Siegel in view of Alonso to include a profile manager comprising a user profile, service profile and device profile as taught by Cai in order to efficiently provide proper service based on user and device profiles.

Regarding claim 16, Siegel teaches UI logic (28 in figure 1) supporting wireless users (36 in figure 1) equipped with WAP devices (30 in figure 1). Therefore Cai's device profile inherently includes applicant's static characteristic and dynamic characteristic of the WAP devices, wherein the static characteristic can be interpreted as a device ID and the dynamic characteristic can be interpreted as a current location as well-known for one of ordinary skill in the art.

Regarding claim 17, Siegel in view of Alonso and further in view of Cai teach all limitations of claim as presented above per claims 1 and 16.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./  
Examiner, Art Unit 2154  
September 24, 2008

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/Joseph E. Avellino/  
Primary Examiner, Art Unit 2146